

Message Text

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INFO OCT-01 EA-07 ISO-00 IO-13 CIAE-00 DODE-00 PM-04

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FM AMEMBASSY MOSCOW

TO SECSTATE WASHDC 6634

INFO AMCONSUL HONG KONG

AMEMBASSY LONDON

AMEMBASSY PARIS

AMEMBASSY TOKYO

USLO PEKING

EC BRUSSELS 1126

USMISSION USUN

C O N F I D E N T I A L MOSCOW 5588

E.O. 11652: GDS

TAGS: PFOR, PLOS, EFIS, UR, JA, TGEN

SUBJECT: SOVIET-JAPANESE FISHING DISPUTE

SUMMARY: JAPANESE EMBOFF REPORTS SOVIETS CONTINUE TO BE COMPLETELY INFLEXIBLE ON DISPUTED FISHING ISSUES. ADDITIONALLY, SOVIETS APPEAR TO BE FEEDING PRESS IN SUCH A WAY AS TO HEIGHTEN ATTENTION AND MAKE COMPROMISE MORE DIFFICULT. HENCE, JAPANESE EMBASSY HERE IS NOT SANGUINE ABOUT PROSPECTS FOR NEXT ROUND OF TALKS WHICH IS SET TO BEGIN IN MOSCOW IN EARLY MAY. END SUMMARY.

1. IN CONVERSATION WITH EMBOFF APRIL 22 JAPANESE HEAD OF CHANCERY NAGAO HYODO, SUMMARIZED WHERE HE BELIEVES SITUATION STANDS NOW AFTER DEPARTURE OF BOTH JAPANESE DIET DELEGATION (SEPTTEL) AND JAPANESE NEGOTIATING TEAM. FOLLOWING ARE MAIN POINTS HYODO MADE.

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2. SOVIET POSITION: THE SOVIETS HAVE BEEN COMPLETELY INFLEXIBLE ON ESSENTIAL POINTS IN THE DISPUTE: LANGUAGE CONCERNING HOW TO DEFINE SOVIET 200-MILE ZONE (ARTICLE I OF TREATY) AND DEMAND FOR SPECIAL RIGHTS IN JAPANESE WATERS SHOULD THESE BE EXTENDED BEYOND PRESENT 3-MILE LIMIT (ARTICLE II). THE

SOVIETS HAVE ADDITIONALLY INSISTED THAT THE REMAINDER OF THE TREATY BE NEGOTIATED ONLY AFTER THESE TWO POINTS ARE RESOLVED. HENCE, MANY DIFFICULT QUESTIONS OF QUOTAS, CONTROLS, ETC. REMAIN UNDISCUSSED THUS FAR.

3. ON ARTICLE I THE SOVIET SIDE HAS INSISTED ON LANGUAGE TAKEN FROM THE USSR COUNCIL OF MINISTER'S DECREE OF FEB 24, 1977 WHICH DEFINES THE ZONE IN TERMS THE JAPANESE FEEL WOULD COMPLETELY UNDERCUT THEIR CLAIMS TO THE NORTHERN ISLANDS. THE MORE ACCEPTABLE (TO JAPAN) FORMULATION OF THE DEC 10, 1976 UKAZ OF THE SUPREME SOVIET WHICH ORIGINALLY DECLARED THE ZONE, HAS BEEN THE ALTERNATIVE THE JAPANESE HAVE TRIED TO EXAMINE WITH THE SOVIETS, BUT TO NO AVAIL. HYODO CLAIMS THAT PRESS ATTENTION HAS SO HARDENED POSITIONS THAT HE SEES LITTLE POSSIBILITY FOR COMPROMISE.

4. ON ARTICLE II MUCH PUBLIC ATTENTION HAS FOCUSED ON THE SOVIET DEMANDS FOR SPECIAL RECOGNITION OF THEIR "TRADITIONAL" FISHING PRESENCE IN WATERS CONTIGUOUS TO JAPAN, WHICH "TRADITION" THE JAPANESE CALCULATE TO BE ABOUT FIVE YEARS OLD. UNFORTUNATELY, THERE IS A POTENTIALLY MORE DIFFICULT CLAUSE IN THE SOVIET DRAFT OF THIS ARTICLE. THIS CLAUSE, WHICH HAS NOT EVEN BEEN DISCUSSED YET, WOULD REQUIRE JAPANESE CATCHES WITHIN THE SOVIET FISHING ZONE AND THE SOVIET CATCHES WITHIN ANY JAPANESE FISHING ZONE TO BE "BALANCED." THE JAPANESE LOOK ON THIS AS AN ATTEMPT BY THE SOVIETS TO LAY THE BASIS FOR "EQUAL" CATCHES, THUS OPENING

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THE WAY FOR ENORMOUS INCREASES OF SOVIET CATCHES IN JAPANESE WATERS WHILE LIMITING JAPANESE CATCHES IN THE DECLARED SOVIET ZONE.

5. PRESS COVERAGE: HYODO ASSERTS THAT ALTHOUGH THE SOVIETS HAVE BEEN VERY CRITICAL OF JAPANESE PRESS "CAMPAIGN" AGAINST THE SOVIET UNION WHICH THEY PROCLAIM HAS COMPLICATED THE TALKS, THE SOVIETS HAVE NEVERTHELESS THEMSELVES BEEN FEEDING THE JAPANESE PRESS SUBSTANTIAL INFORMATION WHICH HAS CONTRIBUTED TO THE PRESS FUROR IN JAPAN AND MADE COMPROMISE MORE DIFFICULT. HE CITED TWO EXAMPLES: MIDWAY IN THE FIRST ROUND IN MARCH THE SOVIETS CALLED IN A JAPANESE WIRE SERVICE CORRESPONDENT IN MOSCOW AND SHOWED HIM VIRTUALLY THE FULL TEXTS OF BOTH THE SOVIET AND THE JAPANESE DRAFT TREATIES. LATER, AT THE END OF THE SAME ROUND THE SOVIETS AGAIN GAVE JAPANESE CORRESPONDENTS DETAILS OF THE CLOSING POSITIONS OF THE TWO SIDES.

6. HYODO ALSO FELT THAT A RECENT PRAVDA ARTICLE (APRIL 22) WHICH REPORTED ON A SUPPOSED "CAMPAIGN" IN A NORTHERN JAPANESE FISHING VILLAGE TO RETURN THE NORTHERN ISLANDS. GOJ INSISTENCE ON THE CLAIM TO THE ISLANDS IN THE FISHING NEGOTIATIONS IS, ACCORDING TO PRAVDA, RESPONSIBLE FOR THE DEADLOCK AND FOR RESULTING INABILITY OF JAPANESE FISHERMEN TO FISH IN SOVIET WATERS. ACCORDING TO HYODO THIS WAS THE FIRST REVELATION TO THE SOVIET PUBLIC THAT THE TERRITORIAL DISPUTE WAS BEHIND THE STALLED TALKS, AND THUS HE INTERPRETS THE ARTICLE AS ANOTHER INDICATION OF SOVIET DISINCLINATION TO COMPROMISE.

7. RESUMPTION OF TALKS: THE SOVIETS ARE IN NO HURRY TO RESUME TALKS. WHEN THE JAPANESE AT THE CLOSE OF THE LAST ROUND PROCLAIMED THEMSELVES READY

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TO RESUME AFTER ONLY A SHORT RECESS, THE SOVIET NEGOTIATOR ISHKOV RESPONDED THAT HE COULD NOT MEET BEFORE MAY 25TH. ONLY AFTER THE JAPANESE INSISTED ON EARLY RESUMPTION DID ISHKOV RELUCTANTLY AGREE TO MEET DURING THE FIRST TEN DAYS OF MAY. BECAUSE THE SOVIETS ONLY GRUDGINGLY AGREED TO THE EARLY MAY MEETING AND BECAUSE OF CONTINUING INDICATIONS OF INFLEXIBILITY (E.G. THE PRAVDA ARTICLE), HYODO IS NOT SANGUINE ABOUT PROSPECTS FOR PROGRESS IN THE MAY SESSION. HE THINKS THE SOVIETS FEEL THAT TIME WILL FORCE THE JAPANESE INTO MAJOR CONCESSIONS, PARTICULARLY ON THE TERRITORIAL ARTICLE. ABOUT THE ONLY BRIGHT SPOT HYODO SEES IS THAT THE EXCESSIVE DEMANDS HAVE UNITED ALL JAPANESE POLITICAL PARTIES AGAINST THE SOVIET POSITION AND BEHIND THE GOJ. THIS SHOULD INSURE RAPID DIET PASSAGE TO BOTH THE 200-MILE ZONE BILL AND THE 12-MILE TERRITORIAL SEA BILL AND IMPROVE JAPANESE POSITION IN THE NEXT ROUND OF NEGOTIATIONS. BUT, HE RECOGNIZES THAT THIS WILL DO LITTLE TO ADVANCE NEGOTIATIONS AS LONG AS NEITHER SIDE IS WILLING TO COMPROMISE ON THE TERRITORIAL ISSUE. TOON

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